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15 Attorneys for Plaintiff  
16 COURTHOUSE NEWS SERVICE

17 **IN THE UNITED STATES DISTRICT COURT**  
18 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
19 **SOUTHERN DIVISION**

20 Courthouse News Service,  
21 Plaintiff,

22 vs.

23 David Yamasaki, in his official capacity  
24 as Court Executive Officer/Clerk of the  
Orange County Superior Court,  
25 Defendant.

Case No. 8:17-cv-00126 AG (KESx)

**NOTICE OF APPEAL OF  
PLAINTIFF COURTHOUSE NEWS  
SERVICE TO THE UNITED  
STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**PRELIMINARY INJUNCTION  
APPEAL**

**RELATED TO APPEAL 16-55977**

1 NOTICE IS HEREBY GIVEN that Courthouse News Service (“CNS”), the  
 2 plaintiff in the above-captioned matter, hereby appeals to the United States Court of  
 3 Appeals for the Ninth Circuit from the Order Denying Motion for a Preliminary  
 4 Injunction (“Order”), dated August 7, 2017. A copy of the Order is attached hereto  
 5 as **Exhibit 1**.

6 CNS’s Representation Statement is attached hereto as **Exhibit 2** pursuant to  
 7 Federal Rule of Appellate Procedure 12(b) and Circuit Rule 3-2(b).

8 CNS further provides notice that this appeal is related to *Courthouse News*  
 9 *Serv. v. Planet*, Ninth Circuit Appeal No. 16-55977, which raises the same or  
 10 closely related issues to the instant appeal and is before a panel consisting of Judges  
 11 Kim McLane Wardlaw, N. Randy Smith and Mary H. Murguia. As such, CNS  
 12 respectfully submits it would be appropriate to schedule the hearing in the instant  
 13 appeal so it may be heard at the same time and by the same panel as No. 16-55977.<sup>1</sup>

14 Dated: September 4, 2017

BRYAN CAVE LLP

15 By: /s/ Rachel E. Matteo-Boehm  
 16 Rachel E. Matteo-Boehm  
 17 Attorneys for Plaintiff  
 18 COURTHOUSE NEWS SERVICE  
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24 <sup>1</sup> Appeal No. 16-55977 arose from an appeal by Defendant Michael Planet, in his  
 25 official capacity as Court Executive Officer/Clerk of the Ventura County Superior  
 26 Court, from the judgment of the Central District of California granting declaratory  
 27 relief and permanent injunction to CNS following an order granting in part CNS’s  
 28 motion for summary judgment in a case involving the same or closely related legal  
 and factual issues as the instant appeal. The merits appeal in *Planet* is consolidated  
 with cross-appeal No. 16-56714, which arose from an order granting in part and  
 denying in part CNS’s motion for attorneys’ fees and costs in the same action.